

**NOTICE OF PROPOSED WATER POLLUTION CONTROL PERMIT
FOR KOLOA LANDING AT POIPU
ISLAND OF KAUAI, HAWAII**

NPDES PERMIT NO. HI S000091

06-CW-PW-26

August 8, 2006

The State Department of Health ("DOH"), tentatively proposes to issue a National Pollutant Discharge Elimination System ("NPDES") permit to discharge storm water runoff from the Koloa Landing at Poipu ("Project") to receiving State waters, subject to special conditions to:

**POIPU BEACH VILLAS LLC
1245 EAST BRICKYARD ROAD, SUITE 70
SALT LAKE CITY, UTAH 84106**

The proposed draft permit will expire five (5) years from the date of permit issuance.

Poipu Beach Villas LLC is proposing to construct approximately 323 dwelling units in a total of 19 condominium buildings on 24.6 acres of land in Koloa, Kauai, Hawaii. Construction activities associated with the Project include: grading; the installation of water, sewer, drainage and electrical utilities; the installation of paved roadways; and other incidentals.

Storm water run-off associated with construction activities from the Project is permitted to discharge to the following discharge point after implementation of Best Management Practices: Pacific Ocean, Class AA, Marine Waters: Latitude 21°52'36"N and Longitude 159°27'52"W.

The receiving water is classified by the DOH as a Class AA, Marine Waters. The objective of Class AA waters is to remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source.

Persons wishing to comment upon or object to the proposed NPDES permit or to request a public hearing, should submit their comments or requests in writing no later than 30 days after the date of this notice, either in person or by mail, to:

Office Address:

Clean Water Branch
Environmental Management Division
Department of Health
919 Ala Moana Boulevard
Room 301
Honolulu, HI 96814-4920

Mailing Address:

Clean Water Branch
Environmental Management Division
Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

Copies of the proposed draft permit, and other information are available for public

inspection, Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m., at the DOH office address shown above, and at the Kauai District Health Office located at 3040 Umi Street, Lihue, Kauai, HI 96766. Copies may be bought. The draft permit and fact sheet are also available on the internet at <http://www.state.hi.us/doh/eh/cwb/pubntcs/index.html>. For more information or if you have special needs due to disability that will aid you in inspecting and/or commenting on the draft permit and related information, please contact Mr. Alec Wong, Supervisor of the Engineering Section, Clean Water Branch, at the above address or (808) 586-4309 (Voice) at least seven (7) days before the comment deadline. For those who use a TTY/TDD, please call through Sprint Relay Hawaii, at 1-711 or 1(877) 447-5991.

All comments and requests received on time will be considered. If DOH determines that there is significant public interest, a public hearing may be held after at least 30 days of public notice.

If DOH's position is substantially unchanged after considering all timely written comments and all oral comments at any public hearing that may be held, then the DOH will issue the NPDES permit and this action will be final.

Please notify anyone you know who would be interested in this matter.

Chiyome Leinaala Fukino, M. D.
Director of Health